

### **REMARKS**

After entry of this Amendment claims 1-16, 19 and 21-25 are pending in this application. Claims 1, 8, 16, 19, 21 and 25 have been amended to more specifically claim the subject matter of Applicant's invention. Claims 17, 18 and 20 have been canceled and are no longer pending in the application. For the following reasons, it is respectfully submitted that Applicant's invention as set forth in the amended claims include features which are not rendered obvious by the cited references, taken singly or in combination. Reconsideration of the application as amended is requested.

In the Office Action dated July 31, 2007, claims 1-7 and 16-25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Braden et al, U.S. Patent No. 3,292,645 or Given et al, U.S. Patent No. 2,958,944, in view of either Tilton et al, U.S. Patent No. 6,539,955 or Japan '107, Japanese Patent Application No. 2000-126107.

The Examiner submits that although Braden and Given do not disclose a sound attenuator extending along a bottom portion of the motor cavity and against a side portion of the motor cavity and substantially closing the motor cavity opening to attenuate sound emanated from the motor, it would have been obvious to one skilled in the art to have modified the dishwashers in Braden or Given by extending the sound attenuator beneath the motor cavity as taught by Tilton and Japan '107. Claims 17, 18 and 20 have been canceled and are no longer pending in the application. It is respectfully submitted that any permissible combination of the cited references fails to disclose the invention recited in claims 1-7, 16, 19 and 21-25.

Claim 1, which claims 2-7 include by dependency, discloses a dishwasher with a motor cavity having a front-facing motor cavity opening defined intermediate the wash tub bottom wall and the support frame lower portion. An insulation curtain extends along at least one side of the support frame and terminates at an edge adjacent the motor cavity. A sound attenuator, comprising a sound barrier element and a sound absorbing element, substantially closes the motor cavity opening and extends along a bottom portion of the motor cavity to attenuate the sound emanated from the motor cavity. The sound attenuator also includes at least one side portion that extends along at least a portion of motor cavity sides, beyond the insulation curtain edge to overlap the insulation curtain to attenuate sound emanated from the motor cavity below the insulation curtain edge.

Claim 16, which claims 19 and 21-24 include by dependency, recites a method of installing a motor cavity sound attenuator. The method includes providing a sound

attenuator comprising a sound barrier and a sound absorber and positioning the sound attenuator to cover the motor cavity opening and extend along a bottom portion of the motor cavity and along at least a portion of the motor cavity sides.

Claim 25 recites a dishwasher with a motor cavity having a front-facing motor cavity opening defined intermediate the wash tub bottom wall and the support frame lower portion, an access panel covering the motor cavity opening, an insulation curtain that extends along at least one side of the support frame and terminates at an edge adjacent the motor cavity, and a sound attenuator comprising a sound barrier element and a sound absorbing element. The sound attenuator is inserted into the motor cavity opening. The sound attenuator substantially closes the motor cavity opening and extends along a bottom portion of the motor cavity to attenuate the sound emanated from the motor cavity. The sound attenuator having a side portion extending along at least a portion of the motor cavity sides and beyond the insulation curtain edge to overlap the insulation curtain to attenuate the sound emanated from the motor cavity below the insulation curtain edge.

Braden discloses a dishwasher having a removable access panel 156 extending along the motor compartment 158. A sound deadening material 160 is cemented to the back of the access panel 156. Col. 4, ll. 33-37 and Fig. 3. The sound deadening material is not shown or described as being cemented or otherwise adhered to any other portion of the dishwasher. The access panel 156 is shown and described in the Specification as extending along the front of the motor compartment below the door. See Fig. 1. The access panel does not extend under or along the sides of the motor cavity 158. Therefore, Braden is devoid of a sound deadening material or sound attenuator extends along a bottom portion of the motor cavity and has a side portion extending along at least a portion of the motor cavity sides and beyond the insulation curtain edge to overlap the insulation curtain to attenuate the sound emanated from the motor cavity below the insulation curtain edge as recited in claims 1 and 25 or a sound attenuator extending along a bottom portion of the motor cavity and along at least a portion of the motor cavity sides as recited in claim 16.

Given discloses a dishwasher having a panel 42 located below the door 30. Below the panel 42 is a toe recess 44. Col. 4, ll. 9-11 and Fig. 1. As shown in Fig. 1, the toe recess extends along the front of the cavity housing the motor 54. The door 30 includes a sound deadening liner 168 and the panel 42 includes a sound deadener insulation liner 170. The sound deadening liners 168, 170 are meant to "minimize the external noise resulting from the spraying of water throughout the dish chamber 22 by the impeller 50." Col. 8, 3-11.

However, the toe recess 44 area, which substantially closes the motor cavity area, is not shown or disclosed as having a sound deadening liner 166, 168, 170. Therefore Givens does not disclose a sound deadening liner substantially closing the motor cavity opening and extending along a bottom portion of the motor cavity to attenuate the sound emanated from the motor cavity and extending along a least a portion of the motor cavity sides and beyond the insulation curtain edge to overlap the insulation curtain to attenuate the sound emanated from the motor cavity below the insulation curtain edge as recited in claims 1 and 25 or the sound deadening liner covering the motor cavity opening and extending along a bottom portion of the motor cavity and along at least a portion of the motor cavity sides as recited in claim 16.

Tilton discloses a dishwasher having insulation panels 19, 21, 25 on the sides, front and rear panels. See Fig. 1a. As shown in Fig. 1b, the pump 18 cavity includes a sound insulation 26 that substantially encompasses the pump 18. The Specification discloses that "by precisely cutting the acoustical insulation 26 to fit snugly around projecting structures [such as the supply line 20, the pump 18, and the drain line 24,] to eliminate gaps between the insulation 26 and the structures" acoustical leaks are eliminated. Col. 4, ll. 55-67. However, Tilton does not depict or describe the motor or corresponding motor cavity in the Figures or Specification and therefore does not disclose an insulation blanket extending along a bottom portion of the motor cavity and having a side portion extending along a least a portion of the motor cavity sides and beyond the insulation curtain edge to overlap the insulation curtain to attenuate the sound emanated from the motor cavity below the insulation curtain edge as recited in claims 1 and 25 or an insulation blanket extending along a bottom portion of the motor cavity and along at least a portion of the motor cavity sides as recited in claim 16.

JP '107 discloses a dishwasher having a cover 15 surrounding the motor 11 and centrifugal pump 12 to prevent the generation of noise. As shown in Fig. 1, the cover 15 surrounds the bottom and sides of the motor 11 and pump 12. The motor cavity, as designated and encompassed by the cover 15 is the area immediate the motor 11 and the pump 12. The remainder of the area intermediate the wash tub bottom wall and the support frame lower portion is not insulated by the cover. Therefore JP' 107 does not disclose does an insulation cover extending along a bottom portion of the motor cavity and having a side portion extending along a least a portion of the motor cavity sides and beyond the insulation curtain edge to overlap the insulation curtain to attenuate the sound emanated from the motor cavity below the insulation curtain edge as recited in claims 1 and 25 or an insulation blanket

extending along a bottom portion of the motor cavity and along at least a portion of the motor cavity sides as recited in claim 16.

Applicants respectfully resubmit that Braden and Givens is devoid of a sound deadening material or sound attenuator extending along a bottom portion of the motor cavity and having a side portion extending along a least a portion of the motor cavity sides and beyond the insulation curtain edge to overlap the insulation curtain to attenuate the sound emanated from the motor cavity below the insulation curtain edge as recited in claims 1 and 25 or a sound attenuator extending along a bottom portion of the motor cavity and along at least a portion of the motor cavity sides as recited in claim 16. Therefore, it is submitted that Braden and Givens, taken singly or in combination, do not anticipate, teach or suggest the configuration recited in claims 1, 16 and 25, and the addition of either Tilton or JP '107 does not overcome this deficiency and claims 1-7 and 16-25 are not rendered obvious by the cited references. Reconsideration is respectfully requested.

The Examiner has indicated that claims 8-15 stand objected to as being dependant upon a rejected base claim, but would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims. Claim 8 has been amended to include all the limitations of original claims 1, 6 and 7. It is also respectfully submitted that claims 9-15 are allowable as being dependent on, now allowable, claim 8.

It is respectfully submitted that this Amendment traverses and overcomes all of the Examiner's objections and rejections to the application and places the application in suitable condition for allowance; notice of which is respectfully requested. Reconsideration of the application is requested.

Respectfully submitted,

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